



08/06/97

REQUEST FORM FOR FILE WRAPPER CONTINUING APPLICATION  
UNDER 37 CFR §1.62

Prior Application: Examiner: A. Milne Art Unit: 1804

Attorney's Docket No.: 76333/108

ADDRESS TO:  
Assistant Commissioner for Patents  
Box FWC  
Washington, D. C. 20231

This is a Request for filing a continuation application under 37 CFR 1.62 of prior application Serial No. 08/484,836, filed on June 7, 1995, entitled PROTECTION FROM IONIZING IRRADIATION OR CHEMOTHERAPEUTIC DRUG DAMAGE BY IN VIVO GENE THERAPY, by the following named inventor(s):

Full Name of Inventor:	<u>GREENBERGER, Joel S.</u>
Residence & Citizenship:	<u>Sewickley, PA</u> City, State or Country
	<u>United States</u> Citizenship
Post Office Address:	<u>749 Chestnut Road, Sewickley, PA 15143-1143</u>

The above-identified prior application in which no payment of the issue fee, abandonment or, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 CFR 1.60 may be used for applications where the prior application is not to be abandoned.)

1. [ ] Enter the amendment previously filed on \_\_\_\_\_, under 37 CFR 1.116, but unentered, in the prior application.
2. [ ] A preliminary amendment is enclosed.
3. [X] The filing fee is calculated below. (Small entity fees indicated in parentheses.)

CLAIMS AS FILED IN THE PRIOR APPLICATION  
LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

	<u>Number Filed</u>	<u>Number Extra</u>	<u>Rate</u>	<u>Basic Fee \$770 (\$385)</u>
Total Claims	31 - 20	11	x \$22 (x \$11)	\$121.00
Independent Claims	2 - 3	0	x \$80 (x \$40)	
Multiple Dependent Claims			\$260 (\$130)	
			TOTAL FEE	\$506.00

4. [X] The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 19-0741.
5. [X] A check in the amount of \$506.00 is enclosed.
6. [ ] A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.
7. [X] Amend the specification by inserting before the first line the sentence:  
  
--This application is a continuation of application Serial No. 08/484,836, filed June 7, 1995.--
8. [X] Small entity status, based on the verified statement filed in parent application Serial No. 08/484,836, filed June 7, 1995, is claimed under 37 CFR 1.28(a).
9. [ ] Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_, in \_\_\_\_\_ is claimed under 35 USC 119.
10. [X] The prior application is assigned of record to: University of Pittsburgh.
11. [X] The power of attorney in the prior application is to: Stephen A. Bent, Reg. No. 29,768, and other members of the firm.
12. [ ] Also enclosed:

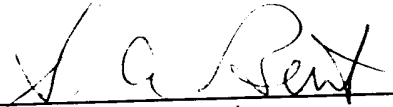
Attorney's Docket No. 76333/108

Address all further communications to: (May only be completed by applicant, or attorney or agent of record.)

Stephen A. Bent

It is understood that secrecy under 35 USC 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

August 6, 1997  
Date

  
Stephen A. Bent  
Registration No. 29,768  
Attorney of Record

FOLEY & LARDNER  
Suite 500  
3000 K Street, N.W.  
Washington, D.C. 20007-5109  
(202) 672-5300

SABE:MSM:vlm